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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/647,679	KHOURI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Patricia Hightower	1711	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response/amendment filed December 20, 2004.
  2. ☒ The allowed claim(s) is/are 1-26.
  3. ☒ The drawings filed on 25 August 2003 are accepted by the Examiner.
  4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>01/07/2005</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                 | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

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### **Reasons For Allowance**

The following is an examiner's statement of reasons for allowance: In view of the applicants' response/amendment filed December 20, 2004 the rejection of the claims under the judicially-created doctrine of obviousness-type double patenting over USP 6,235,866 has been withdrawn because the patent does not teach or suggest a **bis(halophthalimide) prepared using a 1,3-diamine having at least one substituent ortho to one of its amine functionalities, with at least one halophthalic anhydride in an organic liquid having a polarity no higher than that of o-dichlorobenzene, dichlorotoluene, a 2,3-trichlorobenzene, diphenyl sulfone, anisole and veratrole and a method for preparing a bis [N-(3-chlorophthalimide)] derivative of a diamine made by contacting at a temperature of at least 110°C a 3-chlorophthalic anhydride with a 1,3-diamine having at least one substituent ortho to one of its amine functionalities in the presence of an organic liquid having a polarity no higher than that of o-chlorobenzene, dichlorotoluene, 1,2,4-trichlorobenzene, diphenyl sulfone, anisole and veratrole; and the method for preparing a polyetherimide comprising combining a bisphenol A disodium salt, a bis [N-(3-chlorophthalimide)] derivative of a diamine; a diluent selected from o-dichlorobenzene and anisole, a catalytically active amount of a phase transfer catalyst, resulting in a polyetherimide, wherein said bis[N-(3-chlorophthalimide)] derivative comprises the reaction product of a mixture comprising a 3-chlorophthalic anhydride, a 1,3 diamine of the formula**

Art Unit: 1711

***where  $n$  is 1 to 4,  $G$  is selected from the group consisting of  $-R$ ,  $-OR$ ,  $-SR$ ,  $-Ar$ ,  $-OAr$ ,  $-Sar$ , and  $-CN$  and  $R$  is selected from the group consisting of C1-30 aliphatic hydrocarbons, C1-30 unsaturated cycloaliphatic hydrocarbons and aralkyl hydrocarbons; by employing the 1,3 diamine having at least one substituent ortho to one of its amine functionalities unexpectedly results in enhanced solubility and polyetherimides having lower levels of cyclics with comparable or better glass transition temperatures over prior art using CIPAMI monomers produces with other diamines; thus the claims are allowable..***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia Hightower whose telephone number is (571) 272-1073. The examiner can normally be reached on M-F from 9:30 A.M. - 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1711

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
P. Hampton Hightower  
Primary Examiner  
Art Unit 1711

P. Hightower:ph  
March 05, 2005